

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
TUESDAY, DECEMBER 11, 2001
9 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Larry Hudkins
Bernie Heier
Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 9:05 a.m.

AGENDA ITEM

- 1 HOLIDAY SCHEDULE** - Georgia Glass, Personnel Director; Mark Bowen, Mayor's Chief of Staff

Campbell said December 24, 2001 has been designated a federal and state holiday and said it is up to local government to decide whether to also designate the day a holiday.

Georgia Glass, Personnel Director, said a similar situation occurred in 1997 and said the County Board did not grant the holiday at that time, rather informed elected officials and directors that they could grant vacation leave for employees requesting the day off (see Exhibit A for an excerpt of the Staff Meeting Minutes of December 18, 1997). She recommended against granting the holiday, as it was not negotiated by the bargaining units and would be costly in terms of holiday pay for County agencies with 24 hour staffing requirements.

The Board asked Mark Bowen, Mayor's Chief of Staff, to notify the Board, by December 13, 2001, of whether the City intends to designate the day a holiday.

2 ACREAGE POLICY UNDER THE UPDATED LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN - Kathleen Sellman, Planning Director; Mike DeKalb, Planning Department; Eleanor Francke and Merle Jahde, Comprehensive Plan Committee and Acreage Subcommittee; Doug Nagel, Landowner

Workman presented *Proposed Alternatives to Current Acreage Policy Now Under Discussion* (Exhibit B):

<u>Policy Now</u>	<u>Proposed Policy</u>
1. 20 acre density throughout the County - one dwelling per 20 acre parcel	1. 35 acre density throughout the County - one dwelling per 35 acre parcel
2. 80 acre minimum lot size required to apply for Community Unit Plan (CUP) having 20 acre density	2. 35 acre minimum lot size required to apply for Community Unit Plan (CUP) having 35 acre density
3. Bonus lots allowed for Community Unit Plan (CUP) with densities not exceeding 16 acre density	3. Points allowed for Community Unit Plan (CUP) with densities not exceeding 16 acre density

Workman said his reasons for proposing a 35 acre density are:

- Compatible with some of the neighboring counties and villages
- Preservation of farm ground
- Preservation of the "right to farm"
- Reduces the need for farmers to lobby their "right to farm"
- Reduction of sprawl caused by current "20 acre rule" (sets the minimum lot size at 20 acres in the Agricultural (AG) district) and the associated financial cost to the community
- All 40 acre parcels are not 40 acres; 35 acres may be easier to administer

Workman said reducing the Community Unit Plan (CUP) size from 80 to 35 acres would:

- Allow 3 acre lots within 35 acre parcels, when applied for and when appropriate
- Allow for the sale of smaller lots while preserving farm ground
- Better accommodate "build through" by the City
- Provide better regulation of building sites within 35 acre parcels

Workman also proposed a points systems and said the value of points could be part of zoning regulations and would change as experience and the passage of time dictated:

Plus Points

Abundant water
Conservation of resources (ponds, trees, conservation easements, etc.)
Poor farm ground or difficult to farm
Good access to improved roads
Far from city growth
Close to village centers
Common septic or water systems

Minus Points

No proof of water
Poor conservation plan (alter existing topography and vegetation, etc.)
Prime farm ground
Multiple access onto public road
Within Tier I, II or III
Conflicts with neighbors or villages
Close to feedlots

Workman said only administrative action would be needed for a 35 acre Community Unit Plan (CUP) with no points (one 3 acre lot on a 35 acre parcel). He added that the point system will help to identify "pockets" that are ideal for growth.

Campbell asked whether the Acreage Subcommittee has reached any final conclusions.

Mike DeKalb, Planning Department, explained that the Acreage Subcommittee is in the process of working through a response survey on relevant issues. A report on issues in which the Acreage Subcommittee has consensus will be forwarded to the Comprehensive Plan Committee by December 14, 2001. He added that Planning Department staff will have a rough draft of the Comprehensive Plan to the Comprehensive Plan Committee by the end of 2001 or early 2002.

Campbell noted that many residents in the southern portion of Lancaster County oppose their area being designated the high acreage density area.

Stevens said Workman's proposal addresses the issues of consistency and water. He said it also places a priority on agriculture outside the City's three-mile zoning jurisdiction and the other communities' zoning jurisdictions and will allow farmers to supplement their income by selling off a portion of their property for higher than agricultural value.

Heier indicated that he is more interested in doing something with the "20 acre rule" and bonuses, than with decreasing the amount of density. He said "I don't have a problem with the "20 acre rule" ratio, what I have a problem with is having to sell that much land off to build a house and not have it farmed." Heier noted that farmers do have a "right to farm", but said farmers have to farm correctly. He said "A farmer chooses to farm the land that he wants to farm and he can choose to farm the bad land or the good land." He added that, in terms of water, if water is not available, you are unable to build so it is a moot point.

Heier said Workman's proposal of a 35 acre density would raise the price of farmland. He said farmers will not be able to afford the land any longer and said "the only reason we'll be selling off acreages is to save our farm". Heier said he would support bonuses for individuals that are willing to bring their roads to county standards and for having a common septic or water systems, but will not support decreasing density. He said there also needs to be further definition of what is going on, in terms of acreages, in Tier I, Tier II and Tier III.

Hudkins said "I've been alarmed at where the Planning process has gone" and said he is concerned that it has been the only proposal offered at several of the meetings he has attended. He said he would like to know the source of assumptions that water is a problem in the northern portion of the County. Hudkins also requested the definition of prime farm land and said "there is prime land in every sector and every township of the County".

Hudkins said "I want to see a proposal of a density of 10 acres" and said he has asked the Planning Department to provide information from other jurisdictions that would support such a density. He said he has also requested the Planning Department to provide a proposal on how to provide for industrial or light commercial use in the Agricultural (AG) District and wanted that information shared with the Comprehensive Plan Committee.

Hudkins stated that he is a strong supporter of "clustering" and said it helps to retain farmland. He noted that Workman's proposal indicates an associated cost to the community to maintain acreage developments. Hudkins said most of the roads are in place in the County, but said he is concerned that road maintenance is falling behind. He said he agrees with Heier that water is not an issue and said we need to do this county-wide and not pick "sweet spots" (areas within the County where development would have minimal infrastructure cost impact) that favor one area over another. Hudkins stated there is as much potential for a rural water system in the north and northwest portions of the County as there is in the southeast and said the two existing rural water systems will need a massive infusion of infrastructure, if the density is increased.

In response to a question from Hudkins, Mike DeKalb, said four of the towns in Lancaster County have a density of 10 acres or less.

Hudkins suggested that the County look at a 40 acre minimum for a Community Unit Plan (CUP), with one additional lot.

Hudkins also commented on the Salt Water Tiger Beetle issue and said he believes the proposal to go to a ridge line is an overreaction to the problem.

Campbell said a plan is needed on how to structure the acreages in Tiers I, II and III so that Lincoln can build into them. She said "I do not believe that one size fits all" and commended the Comprehensive Plan Committee for trying to come up with a way to address that issue. She said Workman's point system may be more equitable in the long term, particularly if there is a spot that goes against the average. Campbell said she believes a density of 80 acres is too high, but said Workman's proposal of a point system has merit. She suggested relooking at the idea of "tucking acreages in" where you can't farm. Campbell said the Board will also need to consider what it can afford across the County and said the tiers will help to plan for the future and necessary infrastructure.

Campbell also suggested that members of the Board read *Lancaster County's Agricultural Economy: Summary Overview Prepared by the City of Lincoln-Lancaster County Planning Department for the Year 2025 Comprehensive Plan Economic Futures Review Process, November 2001* (Exhibit C).

Kerry Eagan, Chief Administrative Officer, said the Planning Department has suggested that the Board do a study to try to ascertain the cost of acreages versus the amount of income that they generate. He recommended that the Board proceed with the study.

Eleanor Francke, Comprehensive Plan Committee and Acreage Subcommittee, said it appears that a mechanism to save agricultural land is needed. She said one approach would be to look at the County as a blank sheet of paper that we can move into. A second approach would be to look at what is needed for the City to grow into the County. Francke said "I think what we're trying to do is preserve the entire county for the growth of the City and I do believe that is not in the welfare, or interest, of the people who are living in the agricultural area now." She agreed to submit additional comments in writing to the Board.

Merle Jahde, Comprehensive Plan Committee and Acreage Subcommittee, said he would also encourage the Board to look at the acreage tax revenue versus expense issue. He said his committee has discussed this issue and how to differentiate between Tier I, II and III areas and the rest of the County, excluding the jurisdictions of the small towns and villages. He said the Acreage Subcommittee supports a matrix, or point system, as it provides the most options and seems most equitable. Jahde said he believes individuals would buy five or ten acres, if they could, for acreages and said most acreage owners with 20 acres don't use their land effectively.

Campbell said smaller acreages may be a possible in the Tier I, II and III areas, if there is criteria for a build through by the City. She said it may be necessary to develop "benchmarks" that will trigger a review.

Doug Nagel, landowner, said one point that is being missed is the value of houses and what they cost the community.

Kathleen Sellman, Planning Director, reported that Hickman and Waverly have requested formal inclusion of their comprehensive plans in the Lincoln City-Lancaster County Comprehensive Plan. She noted that Hickman's comprehensive plan extends beyond its one mile zoning jurisdiction.

The Board scheduled additional discussion of acreage policy from 12:00p.m.-1:30 p.m. on December 18, 2001.

NOTE: The following maps were referred to in the discussion:

Draft Comprehensive Plan Committee (CPC) - Revised November 2, 2001
Acreage Development Policy
Future Land Use: Lancaster County and Adjacent Environs
Lancaster County's Land Use Plan Including Adopted Generalized Plans of
Cities and Villages

3 ADJOURNMENT

By direction of the Chair, the meeting was adjourned at 10:04 a.m.

Bruce Medcalf
County Clerk